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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,821	07/09/2003	Yasuyuki Amano	153A 3432	1401
3713	7590	12/14/2004	EXAMINER	
KODA & ANDROLIA 2029 CENTURY PARK EAST SUITE 1430 LOS ANGELES, CA 90067-3024			CARIASO, ALAN B	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/615,821

Applicant(s)

AMANO, YASUYUKI

Examiner

Alan Cariaso

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*Am*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20030709</u> .  | 6) <input type="checkbox"/> Other: ____                                     |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the at least one diffusing lens element allowing said parallel light fluxes ... to be emitted diffusely must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. At least in figure 4, diffusing lenses 14E appear to be condensing light, not diffusing light.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement

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Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3 and 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 3 and 6 recite "at least one diffusing lens element allowing said parallel light fluxes ... to be emitted diffusely toward said front of said lamp" which is indefinite as not agreeing with the illustration of diffusing lens 14E in fig.4 converging or condensing light. It is not clear whether light exiting lens 14E is converging or diffusing.

6. Claims 7 and 8 are indefinite for depending on indefinite claim 6.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-4, 6, 7, 9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by YANEZ (US 4,883,333).

9. YANEZ a vehicular lamp (col.2, lines 50-62) comprising: an LED light source (2-figs.2, 4 & bottom fig.7) disposed so as to face in a forward direction of said lamp, and a translucent member (11,10) provided in the vicinity of a front of said LED light source (2) and configured to allow light from said LED light source to undergo internal reflection plurality of times so as to be emitted toward a front of said lamp, wherein said translucent member (11,10) is comprised of: a pillar-shaped portion (11) extending in a longitudinal direction of said lamp; condenser lens portion (10, col.4, lines 45-57) at a rear-end (12, fig.2) of said pillar-shaped portion (11), said condenser lens portion (10) allowing light from said LED light source (2) to enter into said pillar-shaped portion allowing light from said LED light source into parallel light fluxes that travel toward said front of said lamp (col.4, lines 45-57); and at least one parallel translation controlling portion (8 in figs.5a-5d or 23 in figs.10-12) translating a light path of said parallel light fluxes reaching said pillar-shaped portion (11) to form a crank configuration in a direction in which said light path separates from said axis (figs.5a-5d), wherein said parallel translation controlling portion (8,23) is formed in substantially bowl-shape (fig.5a) so as to surround said axis of said pillar-shaped portion; at least one diffusing lens element (diffusing film 16-fig.5a or lens 18-fig.5c) formed on a front-end of said

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parallel translation controlling portion (8,23), allowing said parallel light fluxes reaching said front end of said parallel translation controlling portion to be emitted diffusely toward said front of said lamp (fig.5a); said front end of said pillar-shaped portion (11) is provided with a light emitting face (with lens face 18 in figs. 5a & 5d, or without 18 in figs.5c & 7) that allows said parallel light fluxes reach said front end to be emitted at least around or toward said front of said lamp (figs.5a-5d).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 5, 8, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over YANEZ (US 4,883,333).

12. YANEZ discloses the claimed invention except a set of said LED light source and said translucent member provided at a plurality of locations. YANEZ does teach application of the optical lighting device of LED light source and translucent member to at least vehicle running lights and turn indicators (col.2, lines 60-62). Since it is well known that at least one vehicle has pairs or plural running lights and turn indicators in proximate and/or in opposite locations of the vehicle, then a set of plural optical lighting devices at these different locations would be employed for the purpose of illuminating or indicating plural locations of running lights and turn lights on the vehicle. It would have

been obvious to one having ordinary skill in the art at the time the invention was made to modify the LED light source with translucent member optical device of YANEZ to include a set of plural of these optical devices at plural locations at least in a vehicle to operate the plural running lights and turn lights of the vehicle.


### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. BEYERLEIN (US 6,520,666) shows a set (figs.4 and 8) of plural LED light sources (1) and translucent members (15 or 23) for the purpose of forming maximum amount of light to illuminate surfaces and interior vehicle spaces (col.2, lines 15-37). RAVEN (US 5,463,534) show a set of plural optical devices at different locations within a housing, each optical device include an laser diode (103,102), a collimating lens (104), a pillar-shaped portion or elongate prism (105) and an optical portion at the distal end (106,107) that diverts light from the optical axis of each pillar-shaped portion. IGA et al (US 5,764,828) show an optical device that includes an LED source, collimating lens, pillar-shape translucent member and various light-diverging controlling optical end member(s) that include directing light in diverging and forward direction (figs.3-5). SAYERS (US 6,527,411) show a set of plural optical devices, each having an LED source, a pillar-shaped light guide, and a common end lens. HANSLER et al (US 20020136027) show an LED optic lamp device that includes an LED source proximal to a light-entering end of a translucent member that includes an integral condensing lens (820-fig.8, 918-fig.9).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (571) 272-2366. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan Cariaso  
Primary Examiner  
Art Unit 2875

AC  
December 9, 2004